

STATE OF WASHINGTON



OF OFFICE OF  
INSURANCE COMMISSIONER

IN THE MATTER OF	)	
	)	CONSENT ORDER
TIG INSURANCE COMPANY	)	LEVYING A FINE
	)	
An Authorized Insurer.	)	NO. D03-213
	)	

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FINDINGS OF FACT

1. TIG Insurance Company ("TIG" hereafter) is a motor vehicle, disability, surety, marine, and property and casualty insurer authorized to do business in the State of Washington.

2. Travel Insured International ("TII" hereafter) is a Connecticut corporation licensed as an insurance agent in Washington.

3. Since February 1, 2001, TIG has underwritten TII's trip insurance and travel related insurance products that were sold in Washington and in other states.

4. In August 2002, the Office of Insurance Commissioner ("OIC" hereafter) contacted TIG and learned that the travel insurance TII was selling in Washington and to Washington residents utilized forms and rates that had not been filed with, or approved by, the OIC and that TII and the subagents who were selling the insurance did not have Washington appointments with TIG.

5. In September 2002, TIG filed rates and forms with the OIC for the TII travel insurance products insured by TIG.

6. By December 9, 2002, all portions of TIG's filing had been approved by OIC, and TIG had filed appointments with the OIC for 86 agents who were selling such insurance in Washington.

7. Between October 22, 2001, and December 19, 2002, TII sold one program in Washington consisting of 1,588 individual applications covering 2,826 Washington insureds for which total premiums of \$166,456.42 were collected.

### CONCLUSIONS OF LAW

1. TIG's sale in Washington of certificates of coverage for travel insurance when the policy and certificate forms were not approved violated RCW 48.18.100, its requirement that every insurer, before using, file its insurance policy forms with the OIC, and the provision of WAC 284-30-600(3)(b) requiring insurers marketing group insurance coverage in this state to file copies of all certificate forms and any other related forms providing coverage, including trust documents, at least thirty days prior to use.

2. TIG's sale in Washington of certificates of coverage for travel insurance for which rates had not been filed with OIC violated RCW 48.19.040 and its requirement that every insurer, before using, file its rates with the Commissioner.

3. TIG's sale of travel insurance in Washington through agents for whom appointments had not been filed violated the requirement of RCW 48.17.160 that every insurer on appointing an agent in Washington shall file written notice thereof with the commissioner

### CONSENT TO ORDER

TIG wishes to resolve this matter without further administrative or judicial proceedings and hereby admits to the foregoing Findings of Fact and Conclusions of Law. TIG hereby consents to the entry of this order and acknowledges its duty to comply fully with the applicable laws of the State of Washington.

By agreement of the parties, the OIC will impose a fine of \$48,600 upon the Company.

Pursuant to RCW 48.05.185, failure to pay the fine timely shall constitute grounds for the revocation of the insurer's certificate of authority and for the recovery of the fine in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this 29th day of December, 2003 by:

TIG INSURANCE COMPANY

Signed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Title: \_\_\_\_\_

ORDER:

Pursuant to RCW 48.05.185, the Insurance Commissioner hereby imposes a fine of Forty-Eight Thousand Six Hundred Dollars (\$48,600) upon TIG Insurance Company. The fine must be paid in full within thirty days of the entry of this order in Tumwater, Washington. Failure to pay the fine timely shall constitute grounds for the revocation of the insurer's certificate of authority and for the recovery of the fine in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON on this 8th day of January, 2004.

Mike Kreidler  
Insurance Commissioner

By: \_\_\_\_\_  
Charles D. Brown  
Staff Attorney, Legal Affairs